

## MESSAGE

OF THE

## PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

*In compliance with a resolution of the Senate, papers in relation to an alleged outrage on an American family at Perugia, in the Pontifical States.*

JANUARY 24, 1860.—Read and ordered to be printed.

*To the Senate of the United States:*

In answer to the resolution of the Senate of the 12th instant, requesting information respecting an alleged outrage upon an American family at Perugia, in the Pontifical States, I transmit a report from the Secretary of State, and the documents by which it was accompanied.

JAMES BUCHANAN.

WASHINGTON, *January 23, 1860.*

*To the President of the United States:*

The Secretary of State, to whom was referred the Senate's resolution of the 12th instant, requesting the President "to communicate to the Senate, if, in his opinion, not inconsistent with the public welfare, copies of any correspondence now on the files of the Department of State, by Mr. Stockton, the minister of the United States at Rome, relating to a reported outrage on an American family at Perugia, in the Pontifical States, and the measures taken to procure redress therefor," has the honor to lay before the President the papers mentioned in the subjoined list.

Respectfully submitted.

LEWIS CASS.

DEPARTMENT OF STATE,

*Washington, January 21, 1860.*

*List.*

Mr. Stockton to Mr. Cass, June 25, 1859; extracts, with enclosures.

Mr. Cass to Mr. Stockton, July 27, 1859.

Mr. Stockton to Mr. Cass, August 2, 1859; extracts, with enclosures.

Mr. Cass to Mr. Stockton, September 5, 1859.

*Mr. Stockton to Mr. Cass.*

[Extracts.]

No. 10.]

LEGATION OF THE UNITED STATES OF AMERICA,  
Rome, June 25, 1859.

SIR: I enclose herewith a copy of a letter addressed by me yesterday to the Papal government on the subject of acts of violence and robbery committed by the Papal soldiers against a citizen of the United States and his family.

Mr. Perkins was traveling with the usual passports from his own government, properly *visé*. His passage was an "innocent passage." He had no reason, when he left Rome, to know that Perugia was not as tranquil as any other part of the Papal States. The fact of their avowed neutrality in the war made their territory a most proper spot for the traveller from a neutral country.

A peaceful revolution of the *inhabitants* against the Papal government occurred during his sojourn; but the rights of all were respected, and no acts of excess occurred.

\* \* \* \* \*

If the facts which are reported here are verified, it will appear that a brutal and hireling soldiery were turned loose on the unresisting inhabitants; that after all the little resistance that had been made was finished, in violation of the custom of civilized nations, the unarmed and the defenceless, without regard to age or sex, were shot down in cold blood. The two cases recorded by Mr. Perkins—of the maitre d'hotel and the servant who waited upon them—occurred, as you will perceive, before his eyes.

\* \* \* \* \*

The written statement of Mr. Perkins confirms enough to satisfy me that the most decisive action is necessary in order to protect and secure the citizens of the United States who may be temporarily domiciled, or who may be traveling in the Roman States.

If an infuriated revolutionary mob had refused to listen to the appeals of these ladies, or the declaration of his citizenship by Mr. Perkins, it would have been a shame on humanity, and a gross wrong. But it has happened before, and will again, and finds its palliation in the fact that there is no order—no one to guide—no one responsible at the moment.

\* \* \* \* \*

I shall, therefore, with a full sense of the responsibility of the act,

feel it my duty to insist peremptorily on an immediate reply. I trust the department will instruct me how to act in case of an unreasonable delay on the part of the Papal government.

I have the honor to be, with much respect, your obedient servant,  
JOHN P. STOCKTON.

Hon. LEWIS CASS,  
*Secretary of State.*

---

[Translation of copy.]

PERUGIA, *June 21, 1859.*

Mr. MINISTER: I have the honor of addressing you, as a citizen of the United States of America, to obtain justice and reparation for a brutal violence of which myself and family have been the victims, at the hands of the soldiers of the Pope.

Sojourning at Perugia with my family, composed of Mrs. Perkins, Mrs. Doane, Mrs. Cleveland, Miss Cleveland, and two servants, I had gone to the Hotel de France and taken an apartment, there to spend a few days quietly; when, yesterday, June 20, about 5 o'clock p. m., the hotel was suddenly invaded by a brutal and savage soldiery, which sacked the hotel, breaking all the furniture, stealing all that could be carried off, and killing, under my own eyes, the landlord and the servant who was waiting upon us! My pen could not narrate the excesses indulged in by this soldiery, bearing the name of "Swiss regiment!"

I must be content to state to you, Mr. Minister, that I am entirely indebted for the life of my family and my own to a most fortunate circumstance—the existence of a secret recess, contiguous to my bedroom, where I remained for fourteen hours, shut up with my family, the mother of the unfortunate landlord, so basely murdered, one of his nieces, and a servant maid!

You may judge, Mr. Minister, of the agony which we must have suffered!

The claim of my title, as a citizen of the United States; the tears, the prayers of the distracted women; nothing, in one word, could check the savage soldiery, which plundered and carried off our effects, jewelry, money, &c., leaving us literally with the little which we had on our body. I add to the enclosed a statement of the *material* loss sustained by my family, a copy of which I left with Colonel Schmid, commanding the aforesaid Swiss regiment, and I invoke the holy laws of justice, common to all civilized nations, to obtain, through your intermediation, Mr. Minister, a speedy and manifest justice, which I have the right to claim in placing myself under the ægis of the flag of the United States of America.

Accept, Mr. Minister, the utterances of my respect, and of my undivided consideration.

Your devoted servant,

EDWARD NEWTON PERKINS.

The MINISTER of the United States of America at Rome.

So soon as I will have been able to procure articles of primary necessity for my family and self, I will proceed to Florence. My address in that city will be, "care of Messrs. Maquay, (McKay?) Pakenham & Co., bankers."

[Translation of copy.]

The articles pillaged and robbed from Mrs. Perkins; Mrs. Doane, Mrs. Cleveland, Miss Cleveland, and Mr. Perkins, were contained in seven trunks and eight carpet bags, toilette, necessary, (dressing-boxes.) In those trunks were all the clothes, jewels, three gold watches, and an infinity of precious articles purchased in Rome at the time of their sojourn there. It is certainly below the actual cost to value that loss at..... \$2,000

My chambermaid has been robbed—

1st. Of all her personal apparel, valued at.....	150
2d. Her savings from wages, in cash.....	140

My servant man was robbed and plundered—

1st. His trunks and personal apparel.....	60
2d. An amount in cash in said trunk. ....	75

Total of the actual loss sustained.....	2,425
---	-------

To which must be added the loss of all my private and valuable papers, necessary and precious to me.

EDWARD NEWTON PERKINS.

PERUGIA, *June 21, 1859.*

[Translation of copy.]

LEGATION OF THE UNITED STATES AT THE HOLY SEE,  
*Rome, June 24, 1859.*

The undersigned, minister resident of the United States of America, deems it to be his duty to bring to the knowledge of the most reverend his eminence the cardinal secretary of state, facts connected with an outrage committed by the Papal soldiers at Perugia, of which an eminent citizen of the United States and his family have proved the victims.

Mr. Edward N. Perkins, together with Mrs. Perkins, Mrs. Doane, Mrs. Cleveland, Miss Cleveland, and two servants, on their way from Rome, stopped at Perugia, and at the Hotel de France took apartments with the intention of spending a few days. About 5 p.m., on the 20th of June, the hotel was suddenly invaded by a brutal and savage soldiery, that sacked the house, breaking all the furniture, plundering all that could be borne away, killing, in their sight, the landlord and the servant, who was waiting upon them, and committing other acts of brutal violence.

Mr. Perkins and his family are indebted for the preservation of their lives to the lucky circumstance of a secret passage contiguous to their bed-room, in which they remained concealed for fourteen hours, in

company with the mother of the landlord, who had been murdered before her eyes, together with one of his servants.

Neither the vindication of their quality as American citizens, nor the prayers of the weeping women, could check the brutal soldiery that pillaged and carried off every article—jewelry, money, &c.—leaving them literally nothing but the little they had on their body.

I am informed that the regiment to which those soldiers belong is called the “Swiss regiment.”

The facts above require no comment. Like outrages seldom take place among civilized nations, even in time of war. Women and non-combatants are always spared and exempted from pillage and insult, though they should belong to the enemy. But here the question turns upon a citizen of a friendly power, travelling with his family, composed of ladies, for pleasure and health, who are attacked in spite of the declaration of their citizenship, robbed of every thing which they possessed, and securing their lives only by concealing themselves during fourteen hours.

As the representative of the United States of America, I ask that immediate measures be taken to ascertain, arrest, and punish those guilty of the outrage. I here add a statement of the actual value of the articles of which Mr. Perkins and his family were robbed; and I demand an immediate restitution of that sum, together with damages for the loss of his papers and for the distress caused by said outrage.

In the meantime the undersigned avails himself of the occasion to tender to his most reverend eminence the renewed assurance of his very high consideration.

J. P. STOCKTON.

His Most Rev'd Eminence CARDINAL ANTONELLI,  
*Secretary of State.*

---

*Mr. Cass to Mr. Stockton.*

No. 4.] DEPARTMENT OF STATE, *Washington, July 27, 1859.*

SIR: Your dispatch No. 10, of the 25th ultimo, in reference to the outrage perpetrated at Perugia, has been received.

You were quite right in promptly presenting the claim of Mr. Perkins and his family to the government of Rome, and in demanding for them a just indemnity.

It is hoped that this indemnity may not be refused, and that the affair will be adjusted by the Papal authorities without difficulty.

Should this unhappily not be the case, as soon as the reply of Cardinal Antonelli is received, you shall be furnished with full instructions on the subject.

I am, sir, your obedient servant,

LEWIS CASS.

J. P. STOCKTON, Esq., &c., &c., &c., *Rome.*

*Mr. Stockton to Mr. Cass.*

[Extracts.]

No. 11.]      LEGATION OF THE UNITED STATES OF AMERICA AT ROME,  
*August 2, 1859.*

SIR: I had the honor, under date of June 25, in dispatch No. 10, to state to your excellency the case of Mr. Edward N. Perkins, a citizen of the United States of America, who, while making an innocent passage through the Papal territory with his family, was assaulted and robbed at Perugia, on the 20th of June, by a portion of the foreign legion in the service of his holiness.

\*                      \*                      \*                      \*                      \*                      \*

On the morning of the 26th of June, the second day after the delivery of my letter, I had the satisfaction to receive a visit from an officer of his eminence. He had my letter in his hand, and the claim which accompanied it, and stated to me that his eminence the cardinal secretary of state, had sent him to say to me, in reply to my letter, that he wished me to furnish him with an accurate and full list of the articles taken, with a view to their restoration; and added that steps had already been taken to seek out the guilty parties, by orders sent to Colonel Schmidt at Perugia.

Being exceedingly desirous that no excuse should exist for delay, in consequence of the conversation which had occurred on the 24th, and not wishing to bring Mr. Perkins and his family back to Rome, I took the post across the Papal territory to Sienna the next morning.

While in Tuscany I had the opportunity of receiving accurate information in reference to the affair of Perugia, and consulting with Mr. Perkins, whom I met by appointment at Leghorn. I also saw Madame Gindette Storte, the desolate widow of the deceased master of the Hotel de France, and heard her account of the sad events which had occurred. On the 4th day of July, having prepared the exact account desired by his eminence, I forwarded it to his eminence with a letter intended to expedite the matter, of which the following is an exact translation:

LEGATION OF THE UNITED STATES OF AMERICA,  
*Near the Holy Seat, Rome, July 4, 1859.*

The undersigned, minister resident of the United States of America, near the Holy Seat, in consequence of the demand of his reverend eminence the cardinal secretary of state, has the honor to enclose herewith the claims of Mr. Edward N. Perkins for the material loss which he experienced by acts committed by the Papal troops at Perugia on the 20th of June last.

In consideration of the fact stated to the undersigned on the 26th of June by an officer of his reverend eminence, that the Papal government asked for the exact account of the damage caused, with the view of making immediate restitution, Mr. Perkins has fixed his reclamation at a sum which only covers the material loss, and the expenses directly resulting therefrom.



The undersigned would respectfully call the attention of his reverend eminence to the demand that the guilty be arrested and punished, and he believes it to be his duty to insist upon a formal and exact reply on this point.

The undersigned profits by this opportunity to renew to his reverend eminence the assurance of his very high consideration.

JOHN P. STOCKTON.

His Rev'd Eminence the CARDINAL SECRETARY OF STATE.

Accompanying this letter were the particulars of Mr. Perkins' claim, to which, after consultation with Mr. Perkins, I added one thousand scudi for the incidental damage, which sum I considered just. A few days afterwards, in reply to a communication from the assistant secretary of state, the undersigned inclosed the amount of the value of the goods which had been returned by Colonel Schmidt, leaving the balance due Mr. Perkins three thousand two hundred and sixty-five Roman scudi, (3,265.)

On the 27th day of July the secretary of state forwarded this amount to the legation of the United States at Rome, in Roman gold, with the following communication:

[Translation.]

FROM THE VATICAN, *July 26, 1859.*

The undersigned, cardinal secretary of state, received regularly the valued statement of your excellency, dated the 24th of June last, in which was represented, in a light sufficiently unfavorable, the behavior of the pontifical troops towards the American family Perkins, who, by chance, were in Perugia on the very day in which that city was compelled by force to return to the obedience of legitimate authority.

The statement referred to the dangers and damages said family had suffered, and asked for redress, besides the punishment of the guilty parties.

Such a demand could not fail to awaken the liveliest interest of the cardinal undersigned, and having hastened to gather, from the best authorities, the most accurate and precise particulars, he feels himself entirely convinced, and hopes that your excellency will also be convinced, that the statement you received is not altogether conformable to the precise state of the facts which occurred in that affair.

It is then ascertained, after authentic researches, that the pontifical troops, after having overcome the obstacle of the barricades, occupied the monastery of San Pietro, amid a very severe fire, which was kept up by the rebels, and arrived nearly opposite the Hotel di Francia, situated nearly at the end of said street, and where the Perkins family were staying, where they were obliged to sustain a more determined onset on account of a greater number of rebels there standing. Under this same hotel a soldier was killed and an officer wounded by the firing of guns, which came from the windows and roof of the building, from which were also thrown large stones and tiles, with which the street was encumbered even on the following day. Irritated by the resistance,

the troops penetrated by force into the hotel, took possession of a large tricolored flag which had been set up, and in the fight the proprietor was killed, together with the servant, and also the stable boy, (formerly a postillion,) who was holding a gun already discharged.

The Perkins family, composed of seven persons, to speak the truth, had taken no precaution whatever to put themselves in safety, although it had been suggested to them to do so by an English family staying in the Carino Monti, a mile and a half distant from the city. Consequently, when the soldiers penetrated in the hotel, the said family, together with the wife and the mother of the hotel keeper, and a maid servant, hid themselves in a closet on the second floor, whose door could remain unobserved. But a soldier of the first battalion, Conrad Vellaner, having noticed it, got it open and found those people. Being moved by the entreaties of Mr. Perkins and others, who assured him that they had kept quite inoffensive, being there by chance as travelers, the soldier not only abstained himself from hurting them, but prevented his comrades from doing them injury, staying with them about eight hours.

And it must be noticed that, being offered by Mr. Perkins a purse full of money, he refused it, and returned besides a gold coin of two dollars and a half which he had found upon the carpet. Notwithstanding, Mr. Perkins insisted upon presenting him with a bank note of sixty dollars, which is at the present moment in the hands of the general.

Whilst the individuals were so protected on the second floor, on the first, which had remained open as well as the entrance door, the effects of the American family who inhabited it could not remain safe—some were stolen probably in the night, and amidst the confusion caused by the event itself. It was not known to what sum the loss suffered by the said family amounted, but, by the care of the general, several precious articles were recovered and immediately forwarded to the owners, who had gone to Florence.

After what has been said, when we consider that the troops, being excessively provoked, respected, notwithstanding, those houses which remained quiet, that the invasion of the hotel was caused by the necessity of putting a stop to the fighting kept up there by instigation of some one staying there, and others who managed to get an access on the roof, always with the intention of attacking the troops, and that it is on those people that every responsibility should fall, the black colors in which the facts are painted will be cleared away, and we should rather consider the facts which occurred as an ordinary consequence of such lamentable events.

But as we desire to show a special regard towards the demand of your excellency, having taken cognizance of your note of the 4th of July, which contains the total amount at which the Perkins family rate their loss, deducting the value of the recovered articles, the undersigned cardinal secretary of state, trusting in the honesty of the said family, whilst he has ordered researches, made in order to ascertain whether any of the soldiers have transgressed the military law, and, in case it be so proved, that the guilty parties be subjected to the deserved punishment, he hands to you the corresponding sum



of 3,265 scudi, for which he will be happy to receive, at your leisure, a line of acknowledgment.

He, besides, avails himself with pleasure of the present occasion to confirm to your excellency the sentiments of his distinguished consideration.

GIACOMO CARD'L ANTONELLI.

His excellency the MINISTER OF AMERICA, *near the Holy Seat.*

To this communication of his eminence, I sent the following reply acknowledging the receipt of his package and communication:

[Translation.]

LEGATION OF THE UNITED STATES OF AMERICA,  
*Rome, August 2, 1859.*

The undersigned, minister resident of the United States of America, near the Holy Seat, has the honor to acknowledge the receipt of a communication from his reverend eminence the cardinal secretary of state, accompanied by a package containing three thousand two hundred and sixty-five Roman scudi, being the amount of the claim of Edward N. Perkins for the material loss to himself and family by the acts of the Papal troops at Perugia, on the 20th of June, after deducting the objects already returned by Colonel Schmidt.

The undersigned has read with great satisfaction this communication of his eminence in reply to the letters of the undersigned of the 26th of June and 4th of July.

The prompt return of the articles recovered, the present inclosure of the value of the other objects taken, with the assurance of his eminence of the disposition of the government of his holiness to seek out the offenders and punish any violation of the military law which occurred, are manifestations of the justice and good feeling of the Papal government to which the undersigned cannot be insensible, and which he doubts not will be fully appreciated by the country he has the honor to represent.

Under these circumstances the undersigned does not feel called upon at present to discuss the *new matter* introduced by his eminence as the result of his investigation, and which his eminence believes presents the acts complained of in milder colors. It might involve an examination into disputed facts, which, in view of the prompt action of his eminence and the assurances contained in his letter, the undersigned sincerely hopes will be entirely unnecessary. But the undersigned takes great satisfaction in admitting the noble conduct of Conrad Vellour, of which he has been informed since he had the honor of communicating with his eminence. Moved by their entreaties, he was, as his eminence states, the means of preserving them from his comrades. In the language of a communication of Mr. Perkins, "We were dragged out of the room, and should have been instantly murdered; he stopped his comrades when the steel was almost at our breasts." And some two hours afterwards, when the hotel was again invaded by another band, by a timely warning he enabled them to conceal themselves, and protected their retreat at the risk of his own life. Mr. Perkins is deeply sensible of his services.

The undersigned cannot close this communication without expressing to his eminence his dissent from the view his eminence takes in reference to the precautions which were obligatory on Mr. Perkins.

His eminence remarks "that, to speak the truth, the family of Mr. Perkins had taken no precaution whatever to put themselves in safety, although it had been suggested to them to do so by an English family."

The undersigned cannot admit that, with the passport of his country, properly *visé*, in his hands, alike the notice of his nationality and the pledge of the Papal government for his security, he was bound to apprehend danger from the *intentional acts of the forces of the government*.

The entry of foreigners and their effects is not an absolute right. It is one of imperfect obligation. It is subject to the discretion of the government which tolerates it. But when foreigners are admitted freely into a state, or have complied with conditions that may be required, the public faith becomes pledged for their protection.

"So he who promises security by a passport to an enemy is morally bound to afford it against any of his subjects or forces, and to make good any damage the party might sustain by a violation of it."

Mr. Perkins had a right to rely on this principle of international law. He had a right to rely on the faith of the government, and had no reason to dread danger in the form of violence directed against him or his family, voluntarily, by the soldiers of his holiness, who were, in fact, his proper protectors. He was bound to anticipate *the natural and legal result* of the attack and defense of the place—the consequences of *the exercise of the legal rights of the conquerors*. The exercise of such rights could not affect him in the legitimate results. If Mr. Perkins or his family had been injured by an *accidental* shot, the position of his eminence might be tenable. If he had voluntarily remained in a town which was taken by assault, it might fairly be said that he himself assumed the risk of accidents. He took the risk.

These were the risks against which the English family warned him. No one could have warned him to avoid the danger of an attack from the soldiers of the government while employed in the course of their duty in the service of the government. This was not to be anticipated.

The undersigned takes this opportunity to renew to his reverend eminence the assurance of his very high consideration.

JOHN P. STOCKTON.

His Rev'd Eminence the CARDINAL SECRETARY OF STATE.

In submitting these letters to your excellency, the matter is concluded up to the present moment, and your excellency has the full history of the case.

While I felt it my duty to act with promptness and decision; while I was satisfied that such a course was necessary, (as I had the honor of stating to the department in my last dispatch,) yet I felt extremely anxious not to involve the country in any trouble in reference to the matter, as the complication of European and Italian politics is so great

at the present moment that any serious difficulty of the kind with the Roman government could not be unattended with important results.

It will be observed that although the cardinal adds facts and "new matter" which change the complexion of the acts, yet he denies none of the facts stated by my original letter.

As it was manifestly the object of his eminence to apologize as well as he was able for the acts committed, and his reparation had been so prompt and unusual for this government, I thought it best not to permit myself to engage in a discussion of facts which are at present of no importance after the concession made. But the facts you will find in the inclosed pamphlet, in the published communications, and others that I have in my possession, will show that the original statement of Mr. Perkins is nearer the true coloring than that of his eminence.

I inclose a copy of the receipt of Mr. Perkins, the original of which I shall file in the legation, and sincerely hope that the course I have pursued may be approved of by the government, and the result may be satisfactory.

J. P. STOCKTON.

Hon. LEWIS CASS,  
*Secretary of State, Washington.*

I hereby acknowledge to have received from the Roman government, through John P. Stockton, esq., minister resident of the United States near the Holy See, the sum of three thousand two hundred and sixty-five scudi romani, in full for my claims for compensation for losses incurred in Perugia by the pillage of my effects and robbery of my property by the soldiery under the command of Colonel Schmidt, on the 20th June, 1859.

In witness whereof, I have set my name hereunto, at Villa-Cuponi, near Florence, August 2, 1859.

EDWARD N. PERKINS.

His Excellency JOHN P. STOCKTON,  
*Minister Resident of the United States near the Holy See.*

*Mr. Cass to Mr. Stockton.*

No. 5.]

DEPARTMENT OF STATE,  
*Washington, September 5, 1859.*

SIR: Your dispatches Nos. 10 and 11, (with their various inclosures,) on the subject of the late gross outrage on Mr. Perkins (of Boston) and his family, at Perugia, have been received at the department, and read with the more interest, as the subject had attracted much public attention in this country.

I am instructed by the President to express his satisfaction with your correspondence with the Papal government, and with the measures you saw fit to take on the occasion. Those measures, coupled with the moderation of Mr. Perkins' reclamation, and his readiness to accept the atonement, together with the promptness of Cardinal Antonelli in

meeting the expressed wishes of the injured party, have fortunately closed and settled a grave transaction, which, under less favorable auspices, might have involved the two governments in a serious misunderstanding.

You have, in your reply to the cardinal secretary of state's note of the 26th July, so justly answered every assumption of a questionable kind that your government does not think it necessary, at this juncture, and in view of all the circumstances, to reopen and continue the correspondence, especially after the parties aggrieved have expressed themselves as entirely satisfied.

You will therefore take an early occasion to inform his eminence the cardinal of the views taken by your government of this disagreeable affair, which he will recognize as based upon our sincere desire to avoid needless misunderstanding, and to cultivate, as far as possible, amicable relations with the government of his holiness.

I am, sir, your obedient servant,

LEWIS CASS.

JOHN P. STOCKTON, Esq., &c., &c., &c., *Rome.*